

FIRST REGULAR SESSION

SENATE BILL NO. 274

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHIELDS.

Read 1st time January 16, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1477S.011

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to healthcare technology fund, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 191, RSMo, is amended by adding thereto one new
2 section, to be known as section 191.990, to read as follows:

191.990. 1. There is hereby created in the state treasury the
2 "Healthcare Technology Fund" which shall consist of all gifts, donations,
3 transfers, and moneys appropriated by the general assembly, and
4 bequests to the fund. The fund shall be administered by the
5 department of social services.

6 2. The state treasurer shall be custodian of the fund and shall
7 approve disbursements from the fund in accordance with sections
8 30.170 and 30.180, RSMo. Notwithstanding the provisions of section
9 33.080, RSMo, to the contrary, any moneys remaining in the fund at the
10 end of the biennium shall not revert to the credit of the general
11 revenue fund. The state treasurer shall invest moneys in the fund in
12 the same manner as other funds are invested. Any interest and moneys
13 earned on such investments shall be credited to the fund.

14 3. Upon appropriation, moneys in the fund shall be used to
15 promote technological advances to improve patient care, decrease
16 administrative burdens, and increase patient and healthcare provider
17 satisfaction. Such programs or improvements on technology shall
18 include encouragement and implementation of technologies intended
19 to improve the safety, quality, and costs of healthcare services in the
20 state including, but not limited to, the following:

21 (1) Electronic medical records;

- 22 **(2) Community health records;**
- 23 **(3) Personal health records;**
- 24 **(4) E-prescribing;**
- 25 **(5) Telemedicine; and**
- 26 **(6) Telemonitoring.**

27 **4. The department of social services shall promulgate rules**
28 **setting forth the procedures and methods implementing the provisions**
29 **of this section. Any rule or portion of a rule, as that term is defined in**
30 **section 536.010, RSMo, that is created under the authority delegated in**
31 **this section shall become effective only if it complies with and is**
32 **subject to all of the provisions of chapter 536, RSMo, and, if applicable,**
33 **section 536.028, RSMo. This section and chapter 536, RSMo, are**
34 **nonseverable and if any of the powers vested with the general assembly**
35 **pursuant to chapter 536, RSMo, to review, to delay the effective date,**
36 **or to disapprove and annul a rule are subsequently held**
37 **unconstitutional, then the grant of rulemaking authority and any rule**
38 **proposed or adopted after August 28, 2007, shall be invalid and void.**

 Section B. Because immediate action is necessary to ensure the effective
2 transfer of state services, section A of this act is deemed necessary for the
3 immediate preservation of the public health, welfare, peace and safety, and is
4 hereby declared to be an emergency act within the meaning of the constitution,
5 and section A of this act shall be in full force and effect upon its passage and
6 approval.

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